

## **REMARKS – General**

### *Claim Rejections under 35 USC §103:*

The most recent Office Action (OA) rejects claims 1-20, 22-33, 35-36, 39-41, 43-51, 55-56, 60-71 and 73 under 35 USC §103 as being unpatentable over Jiang et al., US Pat. No. 6,741,853, hereinafter “Jiang”, in view of Tso et al., US Pat. No. 6,088,803, hereinafter “Tso”. Specifically, the OA submits that Jiang discloses “...selecting the content from the group consisting of locally stored applications, remotely stored, trusted applications, and remotely stored, untrusted applications ... and determining whether the content contains designated API.” The OA acknowledges that Jiang fails to teach provisioning the content for the target device, wherein when the content is selected from the remotely stored, untrusted applications, the provisioning comprises intercepting the content and inspecting the content, wherein the inspecting comprises at least one of examining the content to detect malicious code, and determining whether the content contains banned code.

The OA states that Tso teaches provisioning the content for a target device “...wherein when the content is selected from the remotely stored, untrusted applications, the provisioning comprises intercepting the content and inspecting the content, wherein the inspecting comprises at least one of examining the content to detect malicious code, and determining whether the content contains banned code.” The OA states that it would have been obvious to one of ordinary skill in the art at the time Applicants’ invention was made to combine Tso and Jiang to achieve Applicants’ invention. Applicants respectfully traverse this rejection.

Applicants have amended claim 1 to recite the step of determining whether pre-provisioned content corresponding to the device exists. Support for the amendment may be found in the specification at page 15, lines 13-24. Where such content exists, as noted in the specification, efficiency can be increased and latency reduced.

Applicants respectfully submit that neither Jiang nor Tso teaches such a step. To the contrary, Jiang teaches only dynamic adaptation of content. See, e.g., Jiang at col. 6, lines 41-64 and col. 8, lines 8-19. Tso teaches no provisioning, nor does it teach

determining whether pre-provisioned content exists. Tso teaches only retrieving general, non-provisioned content from the Internet. Tso, col. 2, lines 16-25. As neither Jiang nor Tso teaches determining whether pre-provisioned content corresponding to the target wireless device exists, Applicants respectfully submit that the combination of Tso and Jiang fails to teach such a step. Applicants respectfully submit that the §103 rejection is overcome. Applicants respectfully request reconsideration of the rejection to claims 1-29 in light of these comments.

Similarly, Applicants have amended claim 30, 39, and 40 to recite a provisioning manager configured to determine whether pre-provisioned content exists. Support for the amendment is found on page 19, lines 13-26, of the specification as originally filed.

As noted above, Applicants respectfully submit that the combination of Jiang and Tso fails to teach a provisioning manager configured to determine whether pre-provisioned content corresponding to a requesting device exists. As such, Applicants respectfully submit that the rejection is overcome, and respectfully request reconsideration of claims 30-33, 35-36, and 39-40 in light of the amendment.

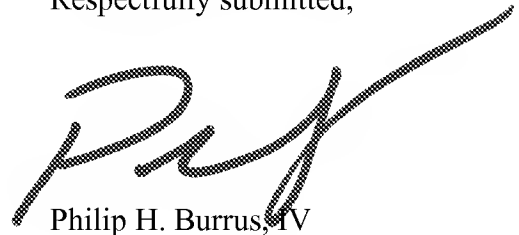
With respect to claims 45-51, 55-56, 58, 60-71 and 73, claims 45 and 61, as well as some dependent claims for proper antecedent basis, have been similarly amended. Applicants respectfully request reconsideration of the rejections based upon the amendments and the comments regarding claims 1 and 30 above.

### CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

For the above reasons, Applicants believe the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Applicants believe this application is now in condition for allowance, for which they respectfully submit. If any matter may be more easily handled by telephone, the undersigned attorney welcomes telephone calls from the Examiner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Burrus, IV", with a long, sweeping horizontal stroke extending to the right.

Philip H. Burrus, IV

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